THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4008 of 2006

Dated:02.03.2007

Between:

N.Jagruti.

…Petitioners

and

The Deputy Collector and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4008 of 2006

ORDER:

The petitioner seeks a writ of mandamus directing the respondents to take necessary action against the fourth respondent who allegedly dug four bore-wells in Plot Nos.1 and 2 situated in Pragathi Nagar. The petitioner alleges that he is the owner of land admeasuring 2310 square yards in Survey Nos.152 to 155, which he allegedly purchased under registered sale deeds. It is further allegation that the fourth respondent dug the bore-wells and marketing the water to Industries, causing hardship to the petitioner and others. Though interlocutory matters are listed, the matter is heard finally and is being disposed of by this order.

In the counter affidavit filed by the fourth respondent the digging of bore-wells is admitted. However, it is stated that the fourth respondent was raring buffaloes and goats, and for that purpose dug the bore-wells, but, subsequently, having sold away the animals, he is allowing all villagers to take the water. Learned Assistant Government Pleader and learned Standing Counsel for Gram Panchayat submit that pursuant to the proceedings of the Mandal Revenue Officer in March 2005 the Gram Panchayat has already seized the bore-wells and at present they are not used. The same is recorded.

This Court further observes that if any person undertakes digging of bore-wells without obtaining permission or in contravention of the

provisions of the Andhra Pradesh Water, Land and Trees Act, 2002, the Mandal Revenue Officer may take necessary action if he receives any complaint.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

02.03.2007
vs